

## DECLARATION AND PETITION

As a below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "System and Method for Automated Commodities Transactions Including An Automatic Hedging Function," the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a).

### PRIOR FOREIGN APPLICATION(S)

Number	Country	Filing Date	Priority Claimed?
NONE			

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
60/241,543	October 18, 2000	Provisional

We hereby declare: All statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wherefore we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, and we hereby subscribe our names to the foregoing specification and claims, and this declaration and petition.

**Full name of first inventor** Gary Reding

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

**Residence:** Minnetonka, Minnesota

Citizenship: USA

Post Office Address Suite 700, 5601 Green Valley Drive, Bloomington, MN 55437

**Full name of second inventor** Kent Beadle

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Hudson, Wisconsin

Citizenship: USA

Post Office Address Suite 700, 5601 Green Valley Drive, Bloomington, MN 55437

**Full name of third inventor** Chris Nikkel

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: South Minneapolis, Minnesota

Citizenship: USA

Post Office Address Suite 700, 5601 Green Valley Drive, Bloomington, MN 55437

**Full name of fourth inventor** Mark Schulze

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Edina, Minnesota

Citizenship: USA

Post Office Address Suite 700, 5601 Green Valley Drive, Bloomington, MN 55437

**Full name of fifth inventor** Walker Humphries

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Edina, Minnesota

Citizenship: USA

Post Office Address Suite 700, 5601 Green Valley Drive, Bloomington, MN 55437

**Full name of sixth inventor** Dave Womeldorf

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Lakeville, Minnesota

Citizenship: USA

Post Office Address Suite 700, 5601 Green Valley Drive, Bloomington, MN 55437

**Full name of seventh inventor** David Clark

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Cambridge, Massachusetts

Citizenship: USA

Post Office Address Suite 700, 5601 Green Valley Drive, Bloomington, MN 55437

**Full name of eighth inventor** Scott Cerreta

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Framingham, Massachusetts

Citizenship: USA

Post Office Address Suite 700, 5601 Green Valley Drive, Bloomington, MN 55437

**Full name of ninth inventor** Carl Ozkaynak

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Quincy, Massachusetts

Citizenship: USA

Post Office Address Suite 700, 5601 Green Valley Drive, Bloomington, MN 55437

**Full name of tenth inventor** Julia A. Granada Rodriguez

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Waltham, Massachusetts

Citizenship: USA

Post Office Address Suite 700, 5601 Green Valley Drive, Bloomington, MN 55437

**PATENT**

**Matter No.:** 20697-301

**Applicant:** Reding, Gary et al.

**Title:** System and Method for Automated Commodities Transactions Including an Automatic Hedging Function

**Serial No.:** Filed Herewith

**Filed:** Filed Herewith

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents  
Washington, D.C. 20231

**POWER OF ATTORNEY**

Sir:

Rooster.com, having become the owner of all rights to this application by virtue of an Assignment executed by the inventor concurrently with the execution of the application, the Assignment being submitted with this power of attorney for recording, appoints:

Berman, C., Reg. 29,249  
Bobys, M.P., Reg. 45,267  
Bosworth, M.K., Reg. 28,186  
Bovasso, L.J., Reg. 24,075  
Boyce, J., Reg. 40,920  
Brown, M.E., Reg. 28,590  
Burton, D.L., Reg. 45,323  
Canter, B., Reg. 34,792  
Chapik, D.G., Reg. 43,424  
Chiang, M.H., Reg. 46,618  
Chou, C., Reg. 41,672  
Coleman, B.R., Reg. 39,145  
Cullman, L.C., Reg. 39,645  
Darrow, C., Reg. 30,166  
Diepenbrock III, A.B., Reg. 39,960  
Edwards, W.G., Reg. 44,426  
Farber, M., Reg. 32,612

Guernsey, L.B., Reg. 40,008  
Guillot, R.O., Reg. 28,852  
Hamrick, C.A.S., Reg. 22,586  
Hansen, S.R., Reg. 38,486  
Harris, M.D., Reg. 26,690  
Hayden, R.D., Reg. 42,645  
Heyninck, M., Reg. 44,763  
Hickman, P.L., Reg. 28,516  
Howell, S.M., Reg. 45,929  
Hughes, M.J., Reg. 29,077  
Inskeep, J.W., Reg. 33,910  
Jastram, H.D., Reg. 19,777  
Kamrath, A., Reg. 28,227  
Kelly, S.S., Reg. 43,449  
Kennedy, B., Reg. 33,407  
Kudla, J.P., Reg. P47,724

Larson, D.N., Reg. 29,401  
Lazaris, S.J., Reg. 45,981  
Lervick, C.J., Reg. 35,244  
MacLean, K.A., Reg. 31,118  
McKinley, D., Reg. 42,867  
McRoss, L., Reg. 40,427  
Morton, C.A., Reg. 44,954  
Nader, R., Reg. P47,260  
Oh, S., Reg. 45,583  
Roberts, R.E., Reg. 38,597  
Rose, A. C., Reg. 17,047  
Rosenberg, C., Reg. 31,464  
Sherry, L., Reg. 43,918  
Smith, G.P., Reg. 20,142  
Tamura, R.S., Reg. 43,179  
Wood, G.B., Reg. 28,133

whose address is:

**OPPENHEIMER WOLFF & DONNELLY LLP**  
2029 Century Park East, 38th Floor  
Los Angeles, California 90067  
Telephone (310) 788-5000  
Fax (310) 788-5100  
**Attn: Marc E. Brown**  
Direct Telephone: (310) 788-5032

their attorneys to prosecute this application and to transact in connection with the application all business in the Patent and Trademark Office and before competent International Authorities including the World Intellectual Property Organization.

To the best of my knowledge and belief, title is in the assignee identified above. I am empowered to act on behalf of the assignee.

I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true. I make these statements with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing from the application.

**Rooster.com**

Date: \_\_\_\_\_

By \_\_\_\_\_

Name:

Title:

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all foreign countries on said invention, and in enforcing any rights, occurring as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents.

In witness whereof, we have hereunto set our hands and affixed our seals.

Date: \_\_\_\_\_

\_\_\_\_\_  
**Gary Reding**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared **Gary Reding**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public

Date: \_\_\_\_\_

\_\_\_\_\_  
**Kent Beadle**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared **Kent Beadle**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public

THE "40" 88092000

Date: \_\_\_\_\_

\_\_\_\_\_  
**Chris Nikkel**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared **Chris Nikkel**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public

Date: \_\_\_\_\_

\_\_\_\_\_  
**Mark Schulze**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared **Mark Schulze**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public

Date: \_\_\_\_\_

\_\_\_\_\_  
**Walker Humphries**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared **Walker Humphries**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public

Date: \_\_\_\_\_

\_\_\_\_\_  
**Dave Womeldorf**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared **Dave Womeldorf**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public

Date: \_\_\_\_\_

\_\_\_\_\_  
**David Clark**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared **David Clark**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public

Date: \_\_\_\_\_

\_\_\_\_\_  
**Scott Cerreta**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared **Scott Cerreta**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public



**Carl Ozkaynak**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared **Carl Ozkaynak**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Notary Public

Date: \_\_\_\_\_

**Julia A. Granada Rodriguez**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me personally appeared **Julia A. Granada Rodriguez**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

**Notary Public**

## ASSIGNMENT

WHEREAS, We, Gary Reding of 6111 Creek Ridge Court, Minnetonka, Minnesota, Kent Beadle of 429 Park Lane, Hudson, Wisconsin, Chris Nikkel of 4120 Abbott Avenue South, Minneapolis, Minnesota, Mark Schulze of 6516 Navaho Trail, Edina, Minnesota, Walker Humphries of 4517 Drexel Avenue, Edina, Minnesota, Dave Womeldorf of 16659 Interlachen Blvd., Lakeville, Minnesota, David Clark of 45 Roberts Road, Cambridge, Massachusetts, Scott Cerreta of 1323 Worcester Road, Apt. G-9, Framingham, Massachusetts, Carl Ozkaynak of 816 Willard Street, Apt. 107, Quincy, Massachusetts, and Julia A. Granada Rodriguez of 72 Sartell Road, Waltham, Massachusetts have invented and own a certain invention entitled CROP MARKETING ACQUISITION TOOL for which an application is about to be made for Letters Patent of the United States, said application having been executed on even date herewith, and which may be identified in the United States Patent Office by Serial No. 60/241,543 filed October 18, 2000; and

WHEREAS, Rooster.com, a corporation organized and existing under the laws of the state of Minnesota, and having its principal offices at Suite 700, 5601 Green Valley Drive, Bloomington, Minnesota 55437, is desirous of acquiring the entire right, title and interest in and to said invention, said application and in, to and under any and all Letters Patent to be obtained therefor;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable considerations to us in hand paid by said Rooster.com, the receipt of which is hereby acknowledged, we have sold, assigned and transferred, and by these presents do hereby sell, assign and transfer unto the said Rooster.com, its successors and assigns, our entire right, title and interest in and to said invention, said application and the Letters Patent, both foreign and domestic, that may or shall issue, including all of our rights under the International Convention, and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned assignee in accordance herewith.

We hereby authorize the above-mentioned assignee, its successors and assigns or anyone it may properly designate, to insert in this instrument the filing date and Serial Number of said application when ascertained.

We further authorize said assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent, in its own name if desired, in any and all foreign countries, and additionally to claim the filing date of said United States application and/or otherwise take advantage of the provisions of the International Convention.

Upon said consideration, we do hereby covenant and agree with the said assignee, its successors and assigns, that we will not execute any writing or do any act whatsoever conflicting with these presents, and that we or our executors or administrators will at any time upon request, without further or additional consideration, but at the expense of said assignee, its successors and assigns, execute such additional writings and do such additional acts as said assignee, its successors and assigns, may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuation, reissued or extended Letters Patent of the United States, or of any and